

April 1, 2022

FILED  
U.S. DISTRICT COURT  
IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

NEBRASKA DOUGLAS COUNTY 2022 APR -1 AM 10:38

OFFICE OF THE CLERK

IRIS KITCHEN

Plaintiff

Complaint for Malpractice

Violation of Civil Rights

And Discrimination

v.

JURY DEMAND

Judge s/Michael D.Nelson

Defendant.

COMPLAINT

Now comes Plaintiff, Iris Kitchen (hereinafter shall be referred to as the "Plaintiff"),  
Pro se, hereby files his Complaint against Defendant (the Defendant) for Malpractice,  
Violation of Civil Rights, and Discrimination. In support thereof the Plaintiff states as  
follows:

JURISDICTION AND VENUE

1. This is an action for damages where the amount in controversy exceeds  
FIFTEEN THOUSAND AND 00/100 DOLLARS (\$15,000.000).

\$115,000.000 IL

2. The Plaintiff is an individual residing at [your full address] 3364 Laurel Street Omaha, Ne, 68111

3. The Defendant, is an Individual residing [address] and is otherwise sui juris

Roman L. Hask  
Nebraska Courthouse  
111 S. 18th Plaza  
Omaha Ne. 68102-1322

4. Pursuant to § 28 U.S.C. § 1332, Venue is proper for this action in Douglas County as the Defendant resides in Douglas County Nebraska.

### **STATEMENT OF THE CASE**

5. This is an action for damages arising from the Defendant's Malpractice, Violation of Plaintiff's Civil Rights, and racial Discrimination. Defendant presided as a judge in the Plaintiff's case date [date]. During trial Defendant on several events violated Plaintiff's Civil Rights by refusing fair discovery and granting the right to fair trial to the Plaintiff. In addition, Defendant with malicious intent deprived the Plaintiff to record evidence in the aforementioned case which resulted in great loss, distress, mental torture and inconvenience for the Plaintiff.

6. Defendant above-mentioned conduct constitutes Malpractice which resulted in loss of confidence in the judiciary and disrespect to the legal profession. Defendant violation of Plaintiff's civil rights, Malpractice against the Plaintiff stemmed from the racial and sexual Discrimination against the Plaintiff as Plaintiff is black woman and Defendant during the course of trial made derogatory remarks against the Plaintiff's appearance.

### **COUNT 1 42 USC 1983**

7. Plaintiff incorporates and re-alleges the allegations set forth in paragraph 1-6 as though fully restated herein.

8. Defendant violated Plaintiff civil rights by refusing fair discovery and granting the right to fair trial to the Plaintiff. In addition, Defendant with malicious intent deprived the Plaintiff to record evidence in the aforementioned case which resulted in great loss, distress, mental torture and inconvenience for the Plaintiff.

9. As a direct and proximate result of the Defendant's violation of civil rights, Plaintiff suffered damages in an amount that will be established at trial.

## COUNT 2 MALPRACTICE

10. Plaintiff incorporates and re-alleges the allegations set forth in paragraph 1-9 as though fully restated herein.

11. Defendant above-mentioned conduct constitutes Malpractice which resulted in loss of confidence in the judiciary and disrespect to the legal profession. Under Canon 3(C)(1), a judge must:

Disqualify in a proceeding in which the judge's impartiality might reasonably be questioned, including but not limited to instances in which . . . the judge . . . has served in governmental employment and *in that capacity participated as a judge (in a previous judicial capacity) [or] counsel . . . concerning the proceeding.*

12. Canon 3©(1)(a), (e) (emphasis added). A "proceeding" is defined broadly, and includes "pretrial, trial, appellate review, or *other stages of litigation.*" *Id.* 3(C)(3)(d) (emphasis added). Because Canon (3)(C)(1) states the "judge's impartiality might reasonably be questioned," if he or she participates in a proceeding after this type of prior involvement, the Canon ties back to Section 455(a).

13. As a direct and proximate result of the Defendant malpractice, Plaintiff suffered damages in amount that will be established at trial.

## COUNT 3 DISCRIMINATION

14. Plaintiff incorporates and re-alleges the allegations set forth in paragraph 1-13 as though fully restated herein.

15. Defendant violation of Plaintiff's civil rights, Malpractice against the

Plaintiff stemmed from the racial and sexual Discrimination against the Plaintiff as Plaintiff is black woman and Defendant during the course of trial made derogatory remarks against the Plaintiff's appearance.

16. As a direct and proximate result of the Defendant discrimination, Plaintiff suffered damages in amount that will be established at trial.

**JURY DEMAND**

Plaintiff demands a jury as to all counts in the Complaint.

WHEREFORE, the Plaintiff IRIS KITCHEN, demands judgement against the Defendant, for damages of \$115,000,000 and other relief this Honourable Court deems just and proper.

Iris Kitchen  
3364 Laurel Street  
Omaha Ne. 68111  
Your Signatures